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Way Cleared for Trial In Missile Secrets Case

WASHINGTON, Sept. 5 (UPI) — The United States Military Court of Appeals has cleared the way for the general court-martial of Second Lieut. Christopher Cooke of the Air Force on charges of passing secret information to the Soviet Union about nuclear missiles.

After three delays on motions by the defense, preliminary proceedings are to begin Tuesday in the trial of the 26-year-old former deputy commander of a Titan 2 nuclear missile complex in Kansas.

The civilian appeal judges set the stage Thursday by denying, in a 2-to-1 decision, a second petition by Lieutenant Cooke's lawyers that the case be dismissed on the ground that the Air Force had promised the officer immunity if he cooperated with investigators.

The Air Force has charged that "for approximately a year he had been photographing, copying and giving to the Soviets secret and top secret information relating to American strategic nuclear employment."

It said Cooke made a 17-page written confession and a spoken admission.

The lieutenant is specifically charged with making 11 unauthorized visits to the Soviet Embassy and passing secrets on three occasions. The Air Force police arrested him May 5 at his parent's home near Richmond and returned him to his unit at McConnell Air Force Base near Wichita, Kan. He was moved last week to the stockade at Fort Meade, Md.,

Tuesday's preliminary hearing before Lieut. Col. David Orser of the Air Force, the judge, will dispose of any motions before the court-martial begins. This could be a brief process or could take days.